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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Confirmation No. 1920
)	
Cabilly <i>et al.</i>)	Examiner: BARTON, Jeffrey
)	
Appl. Serial No.: 10/056,050)	Group Art Unit: 1795
)	
Filed: January 28, 2002)	Docket No.: IVGN 309.3 CIP
)	
For: Apparatus and Method for)	
Electrophoresis)	

**REQUEST FOR CORRECTION TO NOTICE OF ALLOWANCE AND FEE(S) DUE
MAILED JUNE 23, 2010; EXAMINER INTERVIEW SUMMARY;
SUBMISSION UNDER 37 C.F.R. § 1.312**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is a Request for Correction to the Notice of Allowance and Fee(s) Due mailed June 23, 2010 for the above-captioned application. The submission is made under 37 C.F.R. § 1.312. Applicants hereby respectfully request entry of the correction cited herein. No fees are believed due in connection with the instant submission. However, should any fees be due, the Commissioner is hereby authorized to charge the same to Deposit Account No. 50-3994, with reference to our matter IVGN 309.3 CIP.

Amendments to the Claims begin on page 2 of this paper.

A Listing of the Claims begins on page 3 of this paper.

Remarks begin on page 7 of this paper.

Amendment to the Claims

Please amend Claim 1 as follows:

1. (Currently amended): A disposable cassette for conducting electrophoresis, wherein the cassette comprises:
 - i) an enclosed chamber having a top wall, a bottom wall, two side walls, a first end wall and a second end wall, wherein;
 - the top wall comprises one or more apertures;
 - the bottom wall is contiguous, and
 - the chamber comprises a first region, a second region and a third region, wherein the second region is located between the first end wall and the third region, the first region is located between the second end wall and the third region, and the third region is located between the second region and the first region, and wherein the one or more apertures of the top wall are located above and adjacent to the third region;
 - and wherein the chamber comprises an electrophoresis area;
 - ii) an anode located within either the second region or the first region
 - iii) a cathode located within either the second region or the first region, provided that the anode and the cathode are not together in the same region; and
 - iv) an electrophoresis gel matrix, said electrophoresis gel matrix comprising one or more wells located below the apertures;
 - wherein the electrophoresis gel matrix substantially occupies the first region, the second region and the third region, and wherein at least a portion of the anode ~~is~~ and the cathode ~~are~~ in contact with the electrophoresis gel matrix; and
 - wherein the cassette further comprises a matrix, wherein the matrix is in contact with the cathode, and the matrix comprises at least one water sparingly soluble salt; and wherein during the electrophoresis the electrophoresis gel matrix comprises at least one water sparingly soluble salt ion.

Listing of the Claims

Pending claims in this application are claims 1-9, 12-14, 19-21, 71, 75, 77, 79-82, 85-91, 94-101 and 103-115, all of which have been deemed allowed as stated either in the Notice of Allowance or as confirmed by Applicants' representative in a telephone call with Examiner Barton. This listing of claims will replace all prior versions and listings of claims in the application.

1. (Currently amended): A disposable cassette for conducting electrophoresis, wherein the cassette comprises:

- i) an enclosed chamber having a top wall, a bottom wall, two side walls, a first end wall and a second end wall, wherein;
 - the top wall comprises one or more apertures;
 - the bottom wall is contiguous, and
 - the chamber comprises a first region, a second region and a third region, wherein the second region is located between the first end wall and the third region, the first region is located between the second end wall and the third region, and the third region is located between the second region and the first region, and wherein the one or more apertures of the top wall are located above and adjacent to the third region;
 - and wherein the chamber comprises an electrophoresis area;
- v) an anode located within either the second region or the first region
- vi) a cathode located within either the second region or the first region, provided that the anode and the cathode are not together in the same region; and
- vii) an electrophoresis gel matrix, said electrophoresis gel matrix comprising one or more wells located below the apertures;

wherein the electrophoresis gel matrix substantially occupies the first region, the second region and the third region, and wherein at least a portion of the anode ~~is and the cathode are~~ in contact with the electrophoresis gel matrix; and

wherein the cassette further comprises a matrix, wherein the matrix is in contact with the cathode, and the matrix comprises at least one water sparingly soluble salt; and wherein during the electrophoresis the electrophoresis gel matrix comprises at least one water sparingly soluble salt ion.

2. (Previously presented): The disposable cassette of claim 1, wherein the third region is not sealed and either the second region or the first region is sealed, or the third region is not sealed and both the second region and the first region are sealed.
3. (Previously presented): The disposable cassette of claim 1, wherein the anode comprises an electrochemically ionizable conducting material, wherein the electrochemically ionizable conducting material is electrochemically ionizable during the electrophoresis.
4. (Previously presented): The disposable cassette of claim 3, wherein the electrochemically ionizable conducting material is a metal.
5. (Previously presented): The disposable cassette of claim 4, wherein the metal comprises copper.
6. (Previously presented): The disposable cassette of claim 4, wherein the metal comprises silver or lead.
7. (Previously presented): The disposable cassette of claim 1, wherein the anode comprises an oxygen-absorbing material.
8. (Previously presented): The disposable cassette of claim 1, wherein the anode is selected from the group consisting of aluminum and carbon.
9. (Previously presented): The disposable cassette of claim 1, wherein the electrophoresis gel matrix is substantially free from oxygen gas during the electrophoresis.
- 10-11. (Cancelled).
12. (Previously presented): The disposable cassette of claim 1, wherein the apertures corresponding to the one or more wells are spaced at predetermined intervals so as to conform with intervals between tips on a multi-pipette loader.

13. (Previously presented): The disposable cassette of claim 12, wherein the apertures are arranged in one or more rows.
14. (Previously presented): The disposable cassette of claim 12 wherein the apertures are arranged in two or more rows and the rows are arranged in a stagger format.
- 15-18. (Cancelled).
19. (Previously presented): The disposable cassette of claim 1, wherein the cathode comprises a hydrogen-absorbing material.
20. (Previously presented): The disposable cassette of claim 1, wherein the cathode is selected from the group consisting of palladium, carbon and metal hydrides.
21. (Previously presented): The disposable cassette of claim 1, wherein the electrophoresis gel matrix is substantially free from hydrogen gas during the electrophoresis.
- 22 – 70. (Cancelled).
71. (Previously presented): A method for performing electrophoresis, the method comprising the steps of:
- i) providing a disposable cassette, wherein the cassette comprises:
 - an enclosed chamber having a top wall, a bottom wall, two side walls, a first end wall and a second end wall, wherein:
 - the top wall comprises one or more apertures;
 - the bottom wall is contiguous, and
 - the chamber comprises a first region, a second region and a third region, wherein the second region is located between the first end wall and the third region, the first region is located between the second end wall and the third region, and the third region is located between the second region and the first region, and wherein the one or more apertures of the top wall are located above and adjacent to the third region;
 - and wherein the chamber comprises an electrophoresis area;

an anode located within the second region or the first region;
a cathode located within the second region or the first region, provided that the anode and the cathode are not together in the same region;
an electrophoresis gel matrix, said electrophoresis gel matrix comprising one or more wells located below the apertures;
wherein the electrophoresis gel matrix substantially occupies the first region, the second region and the third region, and wherein at least a portion of the anode and the cathode are in contact with the electrophoresis gel matrix; and

- ii) loading one or more samples into the one or more wells through the one or more apertures;
- iii) applying an electrical field to the electrophoresis gel matrix thereby performing electrophoresis; and
- iv) degrading a sparingly water-soluble salt in contact with the at least one cathode by the application of the electrical field thereby releasing ions required for maintaining the electrical field.

72-74. (Cancelled).

75. (Previously presented): The method of claim 71, further comprising the step of degrading the anode by the application of the electrical field, thereby releasing ions required for maintaining the electrical field, wherein the anode comprises an electrochemically ionizable conducting material.

76. (Cancelled).

77. (Previously presented): A method for electrophoresis, the method comprising the steps of: applying an electrical field to a gel comprising one or more wells, wherein the gel is contained within a disposable cassette comprising one or more apertures; degrading a metal anode by said application of said electrical field; releasing ions required for maintaining an electrical field by said degradation, and inhibiting migration of said ions in the vicinity of said anode.

78. (Cancelled).

79. (Previously presented): The method of claim 75, wherein the electrolyte is of a composition that inhibits migration of ions generated during the step of degrading the anode by the application of the electrical field.
80. (Previously presented): The method of claim 79, wherein the electrolyte is selected from the group consisting of Bis-Tris-Tricine, Bis-Tris-Bicine, Tris-Glycine, Bis-Tris-Glycylglycine, Amino methyl propanol-Proline, and Tris-Borate EDTA (TBE).
81. (Previously presented): The disposable cassette of claim 3, wherein the electrolyte is of a composition that inhibits the migration of ions generated during an electrochemical reaction of the electrochemically ionizable conducting material.
82. (Previously presented): The disposable cassette of claim 81, wherein the electrolyte is selected from the group consisting of Bis-Tris-Tricine, Bis-Tris-Bicine, Tris-Glycine, Bis-Tris-Glycylglycine, Amino methyl propanol-Proline, and Tris-Borate EDTA (TBE).
- 83-84. (Cancelled).
85. (Previously presented): The disposable cassette of claim 1, wherein the at least one anode is located within the second region and the at least one cathode is located within the first region.
86. (Previously presented): The disposable cassette of claim 1, wherein the at least one anode is located within the first region and the at least one cathode is located within the second region.
87. (Previously presented): The disposable cassette of claim 1, wherein the at least one anode or the at least one cathode is embedded within the electrophoresis gel matrix.
88. (Previously presented): The disposable cassette of claim 1, wherein the electrophoresis gel matrix further comprises ions generated during an electrochemical reaction of the anode during the electrophoresis.

89. (Previously presented): The disposable cassette of claim 1, wherein the electrolyte is of a composition that inhibits the migration of ions generated during the electrochemical reaction of the anode.
90. (Previously presented): The disposable cassette of claim 91, wherein the electrolyte is selected from the group consisting of Bis-Tris-Tricine, Bis-Tris-Bicine, Tris-Glycine, Bis-Tris-Glycylglycine, Amino methyl propanol-Proline, and Tris-Borate EDTA (TBE).
91. (Previously presented): The disposable cassette of claim 1, wherein the at least one anode and the at least one cathode are embedded within the electrophoresis gel matrix.
92. (Cancelled).
93. (Cancelled).
94. (Previously presented): The method of claim 71, wherein the third region is not sealed and either the second region or the first region is sealed before and during performing the electrophoresis, or the first region is not sealed and both the second region and the first region are sealed before and during performing the electrophoresis.
95. (Previously presented): The disposable cassette of claim 1, wherein the top wall is sealed to the side walls.
96. (Previously presented): The disposable cassette of claim 95, wherein the top wall is sealed to the to the first end wall and the second end wall.
97. (Previously presented): The method of claim 71, wherein the top wall is sealed to the side walls before and during performing electrophoresis.
98. (Previously presented): The method of claim 97, wherein the top wall is sealed to the to the first end wall and the second end wall before and while performing electrophoresis.
99. (Previously presented): The disposable cassette of claim 1, wherein the bottom wall is flat.

100. (Previously presented): The method of claim 71, wherein the bottom wall is flat.
101. (Previously presented): The disposable cassette of claim 1, further comprising a comb having one or more teeth protruding through the one or more apertures into the electrophoresis gel matrix.
102. (Cancelled).
103. (Previously presented): The disposable cassette of claim 1, wherein the electrolyte comprises Bis-Tris/Tricine, Bis-Tris/Bicine, Tris-Glycine, Bis-Tris-Glycylglycine, Amino methyl propanol/Proline, or Tris-Borate EDTA (TBE).
104. (Previously presented): The method of claim 71, wherein the electrolyte comprises Bis-Tris/Tricine, Bis-Tris/Bicine, Tris-Glycine, Bis-Tris-Glycylglycine, Amino methyl propanol/Proline, or Tris-Borate EDTA (TBE).
105. (Previously presented): The disposable cassette of claim 85, wherein the anode comprises an electrochemically ionizable metal.
106. (Previously presented): The disposable cassette of claim 86, wherein the anode comprises an electrochemically ionizable metal.
107. (Previously presented): The disposable cassette of claim 105, wherein the electrochemically ionizable metal comprises copper.
108. (Previously presented): The disposable cassette of claim 105, wherein the electrochemically ionizable metal comprises silver.
109. (Previously presented): The disposable cassette of claim 89, wherein the electrophoresis gel matrix is substantially free from oxygen gas during the electrophoresis.

110. (Previously presented): The method of claim 94, wherein the electrolyte is selected from the group consisting of Bis-Tris-Tricine, Bis-Tris-Bicine, Tris-Glycine, Bis-Tris-Glycylglycine, Amino methyl propanol-Proline, and Tris-Borate EDTA (TBE).
111. (Previously presented): The disposable cassette of claim 95, wherein the electrolyte is selected from the group consisting of Bis-Tris-Tricine, Bis-Tris-Bicine, Tris-Glycine, Bis-Tris-Glycylglycine, Amino methyl propanol-Proline, and Tris-Borate EDTA (TBE).
112. (Previously presented): The method of claim 110, wherein the apertures corresponding to the one or more wells are spaced at predetermined intervals so as to conform with intervals between tips on a multi-pipette loader.
113. (Previously presented): The method of claim 110, wherein the apertures corresponding to the one or more wells are arranged in one or more rows.
114. (Previously presented): The method of claim 110, wherein the apertures are arranged in two or more rows and the rows are arranged in stagger format.
115. (Previously presented): The disposable cassette of claim 1, wherein the electrophoresis gel matrix comprises sufficient ions for performing electrophoresis.

Remarks and Examiner Interview Summary

In a review of the Notice of Allowance and Fee(s) Due mailed June 23, 2010, Applicants noted that Claim 1 required amendment. Applicants respectfully request Claim 1 to be amended to requested above. This amendment, which does not raise any new issues for consideration in relation to patentability, is being filed before the due date for payment of the issue and publication fees, and requires no further searching on the part of the Examiner.

Conclusion

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned. Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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